

## **MSA Provisions Pertaining to tribal rights, native customs, and Western Pacific indigenous communities:**

### Pacific Insular Areas

Section 2(a)(10) Findings. “Pacific Insular Areas (PIAs) contain unique historical, cultural, legal, political, and geographical circumstances which make fisheries resources important in sustaining their economic growth.”

Section 204(e). Establishes a program for issuing permits for foreign fishing in PIAs, provides for development of Marine Conservation Plans, establishes a Western Pacific Sustainable Fisheries Fund, and provides for use of payments by governors of PIAs.

For more information about Marine Conservation Plans, see:

<http://www.wpcouncil.org/fishery-plans-policies-reports/marine-conservation-plans/>

### Western Pacific Community Development Program and Fishery Demonstration Projects

Section 305(i) provides for the Western Pacific Community Development program. Section 305note, (p. 111) authorizes grants to eligible western Pacific communities, as recommended by the Western Pacific Fishery Management Council, for the purpose of establishing fishery demonstration projects to foster and promote traditional indigenous fishing practices. The Western Pacific Council administers these two provisions together as a two part program consisting of the: (1) Development Plan Program; and (2) Demonstration Projects Program. Under the Western Pacific Community Development Program (CDP), the Council provides support for fishery projects of Western Pacific communities and indigenous communities through administrative processes. The Western Pacific Community Demonstration Project Program (CDPP) is a grant program that provides funds to Western Pacific indigenous communities for the demonstration of traditional, cultural fishery, fishery management and fishery conservation projects.

See <http://www.wpcouncil.org/community-development/western-pacific-community-development-program/>

<http://www.wpcouncil.org/community-development-projects/>

### Regional Marine Education and Training Program

Section 305(j) provides for regionally-based marine education and training programs in the Western Pacific and the Northern Pacific to foster understanding, practical use of knowledge (including native Hawaiian, Alaskan Native, and other Pacific Islander-based knowledge), and technical expertise relevant to stewardship of living marine resources. This section requires NMFS, in cooperation with the Western Pacific and the North Pacific Regional Fishery Management Councils, regional educational institutions, and local Western Pacific and Northern Pacific community training entities, to establish programs or projects that will

improve communication, education, and training on marine resource issues throughout the region and increase scientific education for marine-related professions among coastal community residents, including indigenous Pacific islanders, Native Hawaiians, Alaskan Natives, and other underrepresented groups in the region.

Pursuant to this authority, PIRO administers the Marine Education and Training Mini-Grants Program is a competitive grant program that supports projects to improve communication, education, and training on marine resource issues throughout the region and increase scientific education for marine-related professions among coastal community residents, including indigenous Pacific islanders, Native Hawaiians and other underrepresented groups in the region.

Eligible entities are individuals, institutions of higher education, nonprofits, commercial organizations, and state, local, and Indian tribal governments within the Western Pacific Regional Fishery Management area. Proposals in excess of \$15,000 are unlikely to be funded.

See: [http://www.fpir.noaa.gov/Grants/grants\\_avail.html](http://www.fpir.noaa.gov/Grants/grants_avail.html)

#### Pacific Council

Section 302(a)(1)(F), 302(b)(5), Establishes a requirement for the Pacific Council to include a designated seat for one voting member appointed from an Indian tribe with Federally recognized fishing rights from California, Oregon, Washington, or Idaho.

Section 302(j)(1)(A) – Concerns applicability of recusal and financial disclosure requirements to the Pacific Council tribal member.